

REMARKS

Applicants have carefully reviewed the Office Action dated December 31, 2002. Applicants have amended Claims 22 and 29 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Regarding Claims 22, 24, 25, 29, 31 and 32 rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over U.S. Patent No. 6,018,764, Field et al. (hereinafter *Field*) and further in view of U.S. Patent No. 6,163,803, *Watanabe*, this rejection is respectfully traversed as follows.

The Applicants' invention is directed to a method for allowing any of a plurality of first locations on a global communication network to access a specific and determinable second location on the global communication network under the control of the advertiser, comprising the steps of: defining a unique audio signature . . . permanently associated with the specific and determinable second location; storing a unique audio designation corresponding to the unique audio signature in a database on the global communications network and accessible from any of a plurality of first locations; and associating with the unique audio designation in the database routing information . . . to the specific and determinable second location. Applicants' invention, as defined by the amended claims allows an advertiser to control a user's computer at the first location to "jump" to the second location merely by broadcasting the unique audio signature, that is unique to that advertiser. Further, by having the translation between the unique audio signature and the URL of the second location disposed on a common database at an intermediate location on the network, the advertiser can be assured that the one or more of the first locations will jump to the "current" location in the intermediate database, all under the control of the advertiser. Since the advertiser owns the signature, the advertiser has virtually full control over the jump operation.

The Examiner is correct in that *Field* does not explicitly teach either a database or the defining of a unique audio signature or a database that would be accessible from any of the

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plurality of first locations. In fact, *Field* does not have the structure necessary to practice Applicants' method. *Field* does not have a database. *Field* does not have a global communication network having a plurality of first locations and a specific and determinable second location coupled thereto. For example, as noted by the Examiner, *Field* does not disclose a database, but neither does *Field* disclose any kind of storage media that associates routing information to the specific and determinable second location with a unique audio designation stored therein. Further, *Field's* so called network is actually a one-way broadcast channel for receiving a television broadcast at a receiver and storing program material in a memory within the user's television receiver, configured so that "the user's perception is that of a bidirectional network that allows Internet type browsing." Col. 8, lines 40-44. Thus, this one-way broadcast channel is not a bidirectional network and *Field* is, in fact, completely incapable of performing Applicants' method as recited in independent Claims 22 and 29.

The *Field* reference is also a reference that does not provide in a table or a database any association between an "audio signature" and a unique location on the network. Rather, the mapping provided is that associated with a mapping table. This mapping table is set forth as Table 1 in Column 6 and it shows that there is a command formatted like a URL in the table that has associated therewith a broadcast address. This table is provided to user via the broadcast. Once disposed at the user's location, the user can then select a location in the broadcast for connection thereto by selecting this command. This command is not the unique audio designator but, rather, a conventional text command formatted like a URL. Further, there is no disclosure in *Field* that would suggest that an audio signature could be associated with a URL in a database, this URL providing the unique location on the broadcast of the selected location on the network.

These deficiencies are not cured by *Watanabe*. The apparatus of *Watanabe* utilizes two networks in a serial fashion, one to deliver a URL via a broadcast network to the user, and then, the URL may be used to access a web site via a network line which couples the user to the worldwide web. The URL information is encoded in a broadcast transmission as an audio URL signal which corresponds to the URL information input to an encoder of the transmitting

apparatus. The audio URL signal bears a one-to-one correspondence with a particular URL that was entered, the related signals being stored together in a correspondence table storing unit 302 in the transmitting apparatus as shown in Fig. 3 of *Watanabe*. In the Office Action this table storing unit is said to be equivalent to the database of Applicants' Claim 22 or Claim 29 for storing a unique audio designation corresponding to the unique audio signature. However, this table storing unit of *Watanabe* is not accessible by the user. Rather, the system of *Watanabe* sends a URL, encoded as an audio URL signal and associated with a broadcast program, to the user location. The user PC, upon receiving and decoding the URL information, may access a web site over the network (e.g., telephone) line or the user may enter a command to cause the access to the web site or the PC may be configured to store the URL information upon decoding it from the broadcast. However, in any of these actions at the user location the user does not have the ability to access the table storing unit in the transmitter because the process in the system of *Watanabe* occurs in a single direction, that is, from inputting the URL information into the broadcast transmitting apparatus, the transmission of the broadcast signal containing the URL information and the receiving of the information at the user location to access a particular web site associated with the broadcast program in which the URL was encoded. *Watanabe's* structure is thus not capable of performing Applicants' methods. In contrast to *Watanabe*, Applicants' Claim 22 and Claim 29, as amended, both include the step "storing a unique audio designation corresponding to the unique audio signature in a database on the global communication network and accessible from any of the plurality of first locations." Since this step is not disclosed in *Watanabe*, *Watanabe* cannot cure the deficiency in *Field*.

To summarize, neither *Field* nor *Watanabe* teaches a database associating a unique audio designation and routing information over the global communication network in which (a) all operation is via the global communication network; (b) in which the database is accessible by the user from the first location; ©) and in which the database is located at a node on the global communication network other than the first location or the second location, all of these operations not being based upon a unique audio signature. For these reasons, Applicants respectfully submit that the combination of *Field* and *Watanabe* does not anticipate or render obvious Applicants'

inventive concept as recited in Claim 22 as amended or Claim 29 as amended. Applicants respectfully request the withdrawal of this rejection.

Regarding Claims 24, 25, 31 and 32 which respectively depend directly or ultimately from base Claims 22 or 29 and thus contain all of the limitations recited in the respective base claim, Applicants respectfully submit that Claims 24, 25, 31 and 32 are patentable over the cited art of record and respectfully request the withdrawal of this rejection.

Regarding Claims 23, 26-28, 30 and 33-35, rejected under 35 U.S.C. Sec. 103(a) as being unpatentable over *Field* and *Watanabe* as applied to Claim 22 and further in view of U.S. Patent No. 5,913,210, *Call* (hereinafter *Call*), this rejection is respectfully traversed as follows.

Regarding Claim 23, Claim 23 is a dependent claim depending from base Claim 22 which has been previously shown to be patentable over the cited art. Therefore, Claim 23 which contains the limitations of base Claim 22 is likewise patentable over the cited art of record. Applicants respectfully request the withdrawal of this rejection and the allowance of Claim 23. Claims 27 and 28, which recite further limitations upon the method of Claim 26 and ultimately depend upon the base Claim 22 previously shown to be patentable over the cited art of record are likewise patentable over the combination of *Field*, *Watanabe* and *Call*. Applicants respectfully request the withdrawal of the rejection with respect to Claims 27 and 28.

Regarding Claims 26, 30, 33, 34 and 35, which depend ultimately or directly upon their respective base Claims 22 or 29 and the intervening Claims 23 or 27 and 28 previously shown herein above to be patentable over the combination of *Field*, *Watanabe* and *Call* are therefore patentable over the cited art of record and the Applicants respectfully request the withdrawal of this rejection with respect to those claims.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the

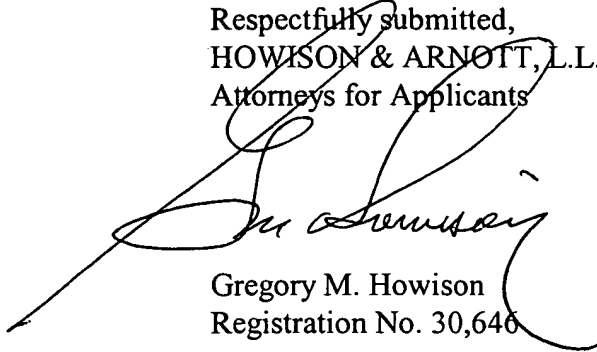
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claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,815 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read "Gregory M. Howison", is written over the typed name and registration number.

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